



# Haryana Government Gazette

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## PART-I A

### Notifications by Local Government Department

#### HARYANA GOVERNMENT

#### URBAN LOCAL BODIES DEPARTMENT

#### Notification

The 5th July, 2024

**No. 9/75/2024-4CII.**— In exercise of the powers conferred under sub-Section (8) of Section 11 of the Haryana Non-Biodegradable Material Manufacturing, Sale, Distribution, Stock, Usage, Disposal and Garbage Control Act, 1998 (8 of 1998), the Governor of Haryana, is hereby to makes the following amendments in the Haryana Government Urban Local Bodies Department, notification No. 08/20/2021-1C-II, dated the 25th February 2022, namely:-

#### Amendment

In the Haryana Government, Urban Local Bodies Department, notification No. 08/20/2021-1 C-II, dated the 25th February 2022,

- i. After serial number (24) and entries there against, the following serial numbers and entries there against shall be added namely:-
  - “(25) All the Chief Executive Officers, Zila Parishad.
  - (26) All the Social Education and Panchayat Officers (SEPO).
  - (27) All Executive Engineers, Panchayati Raj.
  - (28) All the Sub Division Engineers, Panchayati Raj.
  - (29) All the Junior Engineers, Panchayati Raj”
- (ii) For the words and figures, “2 to 24” the word and figures “2 to 29” shall be substituted; and
- (iii) for existing Schedule the following Scheduled shall be substituted, namely:-

## Schedule

TABLE 2: DETAILS OF EC TO BE LEVIED and PENAL ACTION TO BE TAKEN FOR NON-COMPLIANCE OF PWM RULES				
Rule	Provisions	Violator	Violation	Environmental compensation
4 (c) and 4(j)	(c) Carry bag made of virgin or recycled plastic, shall not be less than seventy five microns in thickness with effect from the 30th September, 2021 and one hundred twenty (120) microns in thickness with effect from the 31st December, 2022; (j) non-woven plastic carry bag shall not be less than 60 GramPer Square Meter (GSM).	Producer	Manufacturing bags not meeting specifications	(i) Seizure of manufactured products and closure of unit (ii) EC to be levied @ Rs.5000/- per ton of plastic bags manufactured from the date of inception of the unit or date of notification of PWM Rules (March 18, 2016) whichever is later (EC to be levied @ Rs.10000/- per ton for 2 <sup>nd</sup> violation and @ Rs.20000/- per ton for 3 <sup>rd</sup> violation) (iii) Penalty as per Section 15(1) of Environment Protection Act (EPA), 1986
4 (d)	Plastic sheet or like, which is not an integral part of multi-layered packaging and cover made of plastic sheet used for packaging, wrapping the commodity shall not be less than fifty microns in thickness except as specified by the Central Government where the thickness of such plastic sheets impair the functionality of the product.	Producer	Manufacturing sheets not meeting specifications	(i) Seizure of manufactured products and closure of Unit (ii) EC to be levied @ Rs.5000/- per ton of plastic used in packaging of tobacco products from the date of inception of the unit or date of notification of PWM Rules (March 18, 2016) whichever is later (EC to be levied @ Rs.10000/- per ton for 2 <sup>nd</sup> violation and @ Rs.20000/- per ton for 3 <sup>rd</sup> violation) (iii) Penalty as per Section 15(1) of Environment Protection Act (EPA), 1986.
4(f) and 4(i)	(f) Sachets using plastic material shall not be used for storing, packing or selling gutkha, tobacco and pan masala; (i) Plastic material, in any form including Vinyl Acetate - Maleic Acid - Vinyl Chloride Copolymer, shall not be used in any package for packaging gutkha, pan masala and tobacco in all forms.	Producer	Using plastic material for packaging	(i) Seizure of products & closure of Unit (ii) EC to be levied @ Rs.5000/- per ton of plastic used in packaging of tobacco products from the date of inception of the unit or date of notification of PWM Rules (March 18, 2016) whichever is later (iii) Penalty as per Section 15(1) of Environment Protection Act (EPA), 1986 ( EC to be levied @ Rs.10000/- per ton for 2nd violation and @ Rs.20000/- per ton for 3rd violation)
4(h)	The manufacturers or seller of compostable plastic and biodegradable plastics carry bags or commodities or both shall obtain a certificate from the Central Pollution Control Board before marketing or selling; and	Manufacturer	Certificate not obtained  Not complying with conditions specified in Certificate issued by CPCB	(i) EC to be levied @ Rs.5000/- per ton of compostable and biodegradable plastic produced from the date of inception of the unit or date of notifications of PWM Rules (March 18, 2016 and July 06, 2022 respectively) whichever is later (i) Cancellation of CPCB Certificate and closure of Unit (In case the violation is found w.r.t raw material used/ product manufactured, EC to be levied as per violation of Rule 13(2). Penalty for non-compliance of remaining condition shall be taken in accordance with relevant section of the PWM Rules ) (ii) Penalty as per Section 15(1) of Environment Protection Act (EPA), 1986 (iii) EC to be levied @ Rs.5000/- per ton of compostable and biodegradable plastic produced for the period of violation or from the date of issue of certificate under 4(h) PWM Rules. (EC to be levied @ Rs.10000/- per ton for 2nd violation and @ Rs.20000/- per ton for 3 <sup>rd</sup> violation)
4(2) and 14(1)	4(2) Manufacture, import, stocking, distribution, sale and use of following single use plastic, including polystyrene and expanded polystyrene, commodities shall be prohibited. (a) ear buds with plastic sticks, plastic sticks for balloons, plastic flags, candy sticks, ice-cream sticks, polystyrene [Thermocol] for decoration; (b) plates, cups, glasses, cutlery such as forks, spoons, knives, straw, trays, wrapping or packing films around sweet boxes, invitation cards, and cigarette packets, plastic or PVC banners less than 100 micron, stirrers	Producer Stockiest/ distributors Importer	Production of Prohibited SUP items Stocking and distribution of Prohibited SUP items or Selling products in plastic bags which are not complying with provisions of PWM Rules Import of prohibited SUP items	i. EC to be levied @ Rs.5000/- per ton of plastic SUP items produced from the date of inception of the unit or July 01, 2022 whichever is later. ( EC to be levied @ Rs.10000/- per ton for 2nd violation and @Rs.20000/- per ton for 3rd violation) ii. Revocation of Consent iii. Seizure of SUP products or bags/sheets iv. Cancellation of Commercial licence by concerned Local Authority. v. Fine Rs.2000/- (I violation ); Rs.5000/- (II violation ); Rs.10,000/- (Third incident) vi. Seizure of imported SUP products vii. Cancellation of Registration Certificate by Custom Authorities. viii. Fine Rs.2000/- (I violation ); Rs.5000/- (II violation ); Rs.10,000/- (Third incident)

	14(1) Retailers or street vendors shall not sell or provide commodities to consumer in carry bags or plastic sheet or multi-layered packaging, which are not manufactured and labelled or marked, as per prescribed under these rules	Commercial establishments	Selling of prohibited SUP items or Selling products in plastic bags which are not complying with provisions of PWM Rules	(i) Seizure of SUP products or bags/sheets (ii) Cancellation of Commercial licence by concerned Local Authority. (iii) <u>Fine Rs.2000/- (I violation) ; Rs.5000/- (II violation) ; Rs.10,000/- (Third incident)</u>
		Street vendor	Selling of prohibited SUP items or Selling products in plastic bags which are not complying with provisions of PWM Rules	(iv) <u>Street vendor : Seizure of banned SUP items or bags/sheets ; Fine Rs.200/- (I violation) ; Rs.500/- (II violation) ; Rs.1000/- (Third incident &amp; seizure of trade documents for violation thereafter.)</u>
6(1) and 7	Every local body shall be responsible for development and setting up of infrastructure for segregation, collection, storage, transportation, processing and disposal of the plastic waste either on its own or by engaging agencies or producers.	Municipal Commissioner Village Panchayat,	Adequate facilities for plastic waste management (PWM) not provided	(i) EC to be levied @ Rs.5000/- per ton of plastic waste. <u>EC to be levied for shortfall in the PW qty for which PWM facilities have not been provided w.e.f March 18, 2016- date of notification of these Rules</u> (EC to be levied @ Rs.10000/- per ton for 2 <sup>nd</sup> violation and @ Rs.20000/- per ton for 3 <sup>rd</sup> violation) (ii) Penalty as per Section 15(1) of Environment Protection Act (EPA), 1986
6(2) g And 7 c	Ensuring that open burning of plastic waste does not take place	Person responsible for plastic burning Industries	Burning plastic	(i) Fine per incident of burning: Rs.5000/- (ii) Fine per incident of bulk burning Rs.25000/- (iii) Penalty as per Section 15(1) of Environment Protection Act (EPA), 1986
8(1) a	The waste generator shall take steps to minimize generation of plastic waste and segregate plastic waste at source	Waste generator	Waste not segregated	(i) Waste generator : Spot fine - Rs.500/- (I violation) ; Rs.1000/- (II violation) ; Rs.2,000/- (Third violation & thereafter) (ii) Institutional Waste Generator: Spot fine Rs.5000/- (I violation) ; Rs.10,000/- (II violation) ; Rs.20,000/- (Third violation & thereafter) (iii) Penalty as per Section 15(1) of Environment Protection Act (EPA), 1986 Action as per Section 15(1) of EP Act for violation thereafter
8(1) b	The waste generator shall not litter the plastic waste	Waste generator	Waste littered	(i) Waste generator : Spot fine - Rs.500/- (I violation) ; Rs.1000/- (II violation) ; Rs.2,000/- (Third violation & thereafter) (ii) Institutional Waste Generator: Spot fine Rs.5000/- (I violation) ; Rs.10,000/- (II violation) ; Rs.20,000/- (Third violation & thereafter) Above is minimum EC to be levied for the said violation by the Local body. Local already imposing fine to continue doing so; if the fines are more than the minimum specified fines as per details given above (iii) Action as per Section 15(1) of EP Act for violation thereafter
10(5)	As a transitory measure, provisional certificate for biodegradable plastics, shall be issued by the Central Pollution Control Board, in cases, where an interim test report is submitted, for an on-going test, which covers the first component of the IS 17899 T:2022 relating to biodegradability given at Sl. No. (i) or Sl. No. (ii) of Table 1 or Sl. No. (i) of Table 2 of the IS 17899 T:2022:	Manufacturer	Certificate not obtained	(i) EC to be levied @ Rs.5000/- per ton of biodegradable plastic produced from the date of inception of the unit or date of notifications of PWM Rules (July 06, 2022 respectively) whichever is later
			Not complying with conditions specified in Certificate issued by CPCB	(i) Cancellation of CPCB Certificate and closure of Unit <u>(In case the violation is found w.r.t raw material used/ product manufactured, EC to be levied as per violation of Rule 13(2). Penalty for non-compliance of remaining condition shall be taken in accordance with relevant section of the PWM Rules)</u> (ii) Penalty as per Section 15(1) of Environment Protection Act (EPA), 1986. (iii) EC to be levied @ Rs.5000/- per ton of compostable and biodegradable plastic produced for the period of violation or from the date of issue of certificate under 4(h) PWM Rules. (EC to be levied @ Rs.10000/- per ton for 2 <sup>nd</sup> violation and @ Rs.20000/- per ton for 3 <sup>rd</sup> violation)

10.6	The interim test report shall be obtained from the Central Institute of Petrochemical Engineering and Technology or a laboratory recognised under the Laboratory Recognition Scheme, 2020, of the Bureau of Indian Standards or laboratories accredited for this purpose by the National Accreditation Board for Testing and Calibration Laboratories, and they shall certify the bio-degradation of plastic is in line with IS 17899 T:2022.	Manufacturer	Failure of final testing of the samples as per IS:17899T:2022	<p>(i) Cancellation of CPCB Certificate and closure of Unit <u>(In case the violation is found w.r.t raw material used/ product manufactured, EC to be levied as per violation of Rule 13(2). Penalty for non-compliance of remaining condition shall be taken in accordance with relevant section of the PWM Rules)</u></p> <p>(ii) Penalty as per Section 15(1) of Environment Protection Act (EPA), 1986.</p> <p>(iii) EC to be levied @ Rs.5000/- per ton of biodegradable plastic produced for the period of violation or from the date of issue of certificate under 4(h) PWM Rules. (EC to be levied @ Rs.10000/- per ton for 2<sup>nd</sup> violation and @ Rs.20000/- per ton for 3<sup>rd</sup> violation)</p>
11(1)	<p>Marking or labeling. -(1) Each plastic carry bag "plastic packaging" and multi-layered packaging shall have the following information printed in English namely, -</p> <p>a. name, registration number of the producer or brand owner and thickness in case of carry bag and plastic packaging.</p> <p>b. name and registration number of the manufacturer producer or brand owner in case of multi-layered packaging, excluding multi-layered packaging used for imported goods: and</p> <p>c. name and certificate number of producer [Rule 4(h)] in case of carry bags made from compostable plastic</p> <p>d. the importer or producer or brand owner of imported carry bags or multi-layered packaging or plastic packaging, alone or along with the products shall adhere to clause (a) and (b). an application as per the guidelines specified in Schedule -II in Form-I to</p> <p>i. "The concerned State Pollution Control Board or Pollution Control Committee of the Union territory, if operating one or two States or Union Territories"; or "The Central Pollution Control Board, if operating in more than two States or Union Territories".</p>	Manufacturer/ Producer/ Brand owner		<p>i. Cancellation of Registration/CPCB certificate.</p> <p>ii. <u>Fine Rs.2000/- (I violation); Rs.5000/- (II violation); Rs.10,000/- (Third incident)</u></p>
13(3)	Every person recycling or processing waste or proposing to recycle or process plastic waste shall make an application to the State Pollution Control Board or the Pollution Control Committee, for grant of registration or renewal of registration for the recycling unit, in Form II as per the guidelines specified in Schedule -II	Plastic Waste Processors	<p>1. Registration not obtained</p> <p>2. Misreporting in quantity of plastic packaging placed on market and use of recycled plastics</p> <p>3. Not filling Annual returns</p> <p>4. Submission of False information</p>	<p>Cancellation of Registration and &amp; EC of double of Application fees proportionate Penalty up to Rs. 1,00,000/-</p> <p>1. (For 2<sup>nd</sup> time default EC of four times the application fees and 3<sup>rd</sup> time default EC of eight times the application fees)</p> <p>2. EC to be levied @ Rs. 5000/T of plastic weight misreported (for 2<sup>nd</sup> time default EC to be levied @ Rs.10000/- per ton and for 3<sup>rd</sup> time default @ Rs.20000/- per ton).</p> <p>3. Notice will be issued for 5 days; Thereafter Rs. 5000/- for next 5 days (Rs.10000/- for 2<sup>nd</sup> time default and Rs.20000/- for 3<sup>rd</sup> time default) Rs.10,000/- for next 10 days (Rs.20000/- for 2<sup>nd</sup> time default and Rs.40000/- for 3<sup>rd</sup> time default) Thereafter provision for certificate generation shall be discontinued.</p> <p>4. EC to be levied @ Rs.5000/- per ton of plastic produced from the date of inception of the unit or date of notification of PWM Rules (March 18, 2016) whichever is later. (EC to be levied @ Rs.10000/- per ton for 2<sup>nd</sup> violation and @ Rs.20000/- per ton for 3<sup>rd</sup> violation).</p>

			5. Non-compliance of conditions stipulated in Certificate	5. Cancellation of Registration
13(4) and 4 e	13(4) Every manufacturer engaged in manufacture of plastic to be used as raw material by the producer shall make an application to the State Pollution Control Board or the Pollution Control Committee of the Union territory concerned, for the grant of registration or for the renewal of registration, in Form III.	Manufacturer	Unit operating without Registration	(i) Closure of unit (ii) <u>EC to be levied @ Rs.2500/- per ton of plastic raw material manufactured from the date of inception of the unit or date of notification of PWM Rules (March 18, 2016) whichever is later</u> (EC to be levied @ Rs.5000/- per ton for 2 <sup>nd</sup> violation and @ Rs.10000/- per ton for 3 <sup>rd</sup> violation & violation thereafter) (iii) Penalty as per Section 15(1) of Environment Protection Act (EPA), 1986.
	<u>4(e) The manufacturer shall not sell or provide or arrange plastic to be used as raw material to a producer, not having valid registration from the concerned State Pollution Control Boards or Pollution Control Committee;</u>	Manufacturer	Raw material sold to producers not having registration from SPCB	(i) <u>EC to be levied @ Rs.2500/- per ton of plastic raw material sold to unregistered producers from the date of notification of PWM Rules (March 18, 2016) whichever is later</u> (EC to be levied @ Rs.5000/- per ton for 2 <sup>nd</sup> violation and @ Rs.10000/- per ton for 3 <sup>rd</sup> violation & Closure of unit thereafter)

**(C) Minimum and Maximum Amount of EC to be levied**

The minimum and maximum value of EC to be levied for violation of specific provisions of rules (Refer Table 2 above) is given in Table 3.

<b>TABLE 3: Minimum and Maximum EC for violation of PWM Rules</b>					
<b>Rule</b>	<b>Violator</b>	<b>Minimum population</b>	<b>Maximum population</b>	<b>Minimum EC value (Rs. per annum)</b>	<b>Maximum EC value (Rs. per annum)</b>
6(1) and 7	Village Panchayat	1000 (avg.)	-	5,000	50,000
	Cities and Towns	5000	99999	50,000	2 crores
	Cities and Towns	100000	999999	5 lakh	10 crore
	Cities and Towns	>1000000	-	50 lakh	1000 crore
<b>Rule</b>	<b>Violator</b>	<b>Minimum Capacity (TPA)</b>	<b>Minimum Capacity (TPA)</b>	<b>Minimum EC value (Rs. per annum) (At first time violation)</b>	<b>Maximum EC value (Rs. per annum) (At third time violation)</b>
4 (c), 44(i), 13(2),13(3)	Producer , Brand owners, importers and Plastic Waste Processors.	50	100000	0.05 Crores	200 crores
13 (4) and 4(e)	Manufacturer	60000	4500000	2 crores	500 crore

### 5.0 EC charges for Delay in EC deposition

The Environmental Compensation Charges and Financial Penalty shall be deposited by the violating facility within the stipulated time period specified under directions issued by authority as specified by authority imposed the EC. In case, such facility does not submit the same within the stipulated time frame the amount will be exponentially increased as per details given in **Table 4**.

**Table 4: EC Charges and Financial Penalty with reference to non-timely submission**

Sr. No.	Amount Deposition time period	Environmental Compensation and Financial Penalty Amount
1.	<u>Within one month</u> from the stipulated time period as directed by authority imposed the EC.	Original amount with interest @ 12% per annum for number of days delayed after the stipulated date of amount deposition
2.	<u>After one month but within 03 months</u> after the stipulated time period as directed by authority imposed the EC.	Original amount with interest @ 24% per annum for number of days delayed after one month of the stipulated date of amount deposition
3.	<u>After 03 months</u>	(a) <u>Closure of unit/facility</u> (b) <u>Seizure of trade documents</u> (c) <u>Action as per Section 15 (1) of Environment Protection Act (EPA), 1986.</u> (d) <u>Action, as applicable, to be taken by Local bodies for Clause 8(1)(a), 8(1)(b) and 14(1) and for the remaining clauses action has to be taken by the concerned SPCB/PCC/CPCB</u>

VIKAS GUPTA,  
Commissioner and Secretary to Government Haryana,  
Urban Local Bodies Department.